



Docket No.: 197679US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

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ATTORNEYS AT LAW

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MAY 19 2003

TECH CENTER 1600/2900

RE: Application Serial No.: 09/646,899

Applicants: Tomoko MAEDA, et al.

Filing Date: October 10, 2000

For: METHODS FOR ISOLATION OF OSTEOCLAST
PRECURSOR CELLS AND INDUCING THEIR
DIFFERENTIATION INTO OSTEOCLASTS

Group Art Unit: 1651

Examiner: V. Afremova

SIR:

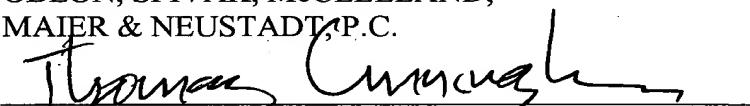
Attached hereto for filing are the following papers:

Election in Response to a Restriction Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO.: 197679US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

TOMOKO MAEDA ET AL.

: EXAMINER: AFREMOVA, V.

SERIAL NO: 09/646,899

: :

FILED: OCTOBER 10, 2000

: GROUP ART UNIT: 1651

FOR: METHODS FOR ISOLATION OF
OSTEOCLAST PRECURSOR CELLS
AND INDUCING THEIR
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ELECTION IN RESPONSE TO A RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
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SIR:

In response to the written restriction requirement, mailed April 22, 2003, the Applicants elect with traverse Group I, Claims 20-24, drawn to a method for producing an osteoclast precursor cell.

The traverse is on the basis that the Office has not adequately established that the inventions of Groups I-VII do not relate to a single general inventive concept, especially as these claims encompass products or methods involving osteoclast precursor cells. For instance, Group II is directed to an osteoclast precursor cell obtainable by the method of Group I; and Groups III and IV require culturing an osteoclast precursor cell obtained by the method of Group I. Moreover, the Applicants submit that no undue burden would be imposed on the examiner in the examination of Groups II-VII along with Group I, as a search

of Group I would also embrace much of the subject matter of the other nonelected groups.

Accordingly, the Applicants respectfully request that this requirement be withdrawn.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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